



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ -I Part - I	ಬೆಂಗಳೂರು, ಗುರುವಾರ, 31, ಆಗಸ್ಟ್, 2023 (ಭಾದ್ರಪದ, 09, ಶಕವರ್ಷ, 1945) BENGALURU, THURSDAY, 31, AUGUST, 2023 (BHADRAPADA, 09, SHAKAVARSHA, 1945)	ನಂ. 403 No. 403
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Proceedings of the Government of Karnataka

Subject: Guidelines for nomination, terms and conditions of Chairman, Members and appointment of Member Secretary to Karnataka State Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974

Read Government Notification No:FEE 230 EPC 2017, dated:19.06.2020

Preamble:

The Hon'ble High Court of Karnataka on 06.02.2021 in W.P.No:9526/2020 passed certain directions noting certain shortcomings of the notification read above. The order dated 06.02.2021 was in the backdrop of directions of Hon'ble Supreme Court of India in Civil Appeal No. 1359/2017 Techitagi Tara versus Rajendra Singh Bhandari and others (2018) 11 SCC 734

Therefore, it becomes eminent that, notification read above be amended in view of the section 4 of Water Act, 1974, judgement of Hon'ble Supreme Court of India in Civil Appeal No. 1359/2017 Techitagi Tara versus Rajendra Singh Bhandari and others (2018) 11 SCC 734 and order of Hon'ble High Court of Karnataka dated 06.02.2021 in WP no 9526/2020

Hence the following order.

Government Order No. FEE 230 EPC 2017, Bengaluru **Dated: 31 .08.2023.**

In view of the facts and circumstances narrated in the preamble and in supersession of Government Order No:FEE 230 EPC 2017, dated:19.06.2020 and subsequent corrigendums, the State Government is pleased to issue the guidelines for

nomination, Terms and Conditions of service of Chairman, Members and appointment of Member Secretary of the Karnataka State Pollution Control Board under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), as per annexure to this Government Order.

By order and in the name of the
Governor of Karnataka.

(B.N.PRAVEEN)

Under Secretary to Government,
Forest, Ecology and Environment Department
(Ecology and Environment)

ANNEXURE TO GOVERNMENT ORDER NO:FEE 230 EPC 2017,

DATED:31.08.2023

**Guidelines for nomination, Terms and Conditions of service of Chairman,
Members and appointment of Member Secretary of the Karnataka State
Pollution Control Board**

1. These guidelines shall come into force from 19.06.2020 and would be published in Official Gazette
2. The State Government shall nominate a person having special knowledge or practical experience in respect of matters relating to environmental protection or a person having knowledge and experience in administering institutions, departments dealing with the matters aforesaid, as Chairman of the State Board in accordance with the provisions of sub-section 2 of section 4 of the Water (Prevention and Control of Pollution) Act, 1974, on full time basis, for a period of three years from the date of nomination.
3. No person shall be eligible for being considered for nomination as the Chairman unless he/she:
 - i. possesses a degree in Engineering or a Masters degree in Science or an equivalent degree or allied sciences relating to environment from a recognized University or Institute.
 - ii. must have special knowledge and experience in areas related to environmental protection and must have administered in Government Department or Organization or University or Institute dealing with environmental issues in the capacity of the administrator (including issues of air and water pollution, waste management, natural resources

management and environmental impact assessment including technology management)

- iii. must have rendered or must be rendering services for public welfare with proven outstanding ability in dealing with issues pertaining to environment management in discharging their duties.

4. Age limit: The maximum age limit for nomination of chairman shall be, not exceeding 65 years as on the last date for the receipt of applications.

5. The Chairman shall be selected by a Search-cum-Selection Committee consisting Ofthe following, namely

Chief Minister
Minister for Forest, Ecology and
Environment
Chief Secretary to Government

Chairman
Vice-Chairman and Member

Secretary and Convener of the
Committee

6. For the above purpose, three months prior to the expiration of the term of the Chairman, the Department of Forest, Ecology and Environment shall call for applications from interested persons by publishing in two National newspapers (one each in Kannada and English) in the format as stipulated by the Department and shall also publish the same in the Department website.

7. The Search cum selection Committee shall go through all the eligible applications and select suitable candidate who adds value to the State Pollution Control Board, after briefly recording the reasons.

8. The State Government shall depute an officer belonging to all India Service of Senior/Super time Scale to the post of Member Secretary having degree in engineering or a Master's degree in science or an equivalent degree or allied sciences from a recognized University or Institute, with prior experience in dealing with matters connected to pollution control.

9. The State Government shall nominate the non-official members to the Board who represent or possess special knowledge, practical experience and a degree in Agriculture, Fishery, Forestry, Industry. Trade, Engineering or any other subject related to Natural Resource Management and Control of Pollution in the following manner:.

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- i. Five officials of such departments of the State Government dealing with issues directly related to control of pollution and other environment related issues such as Setting up and Management of Industries. Transport, Waste Management, Health of the general public, Coordinating policy issues related to pollution control and environment protection to represent the State Government.
 - ii. Five persons representing the members of the Local Authorities in the State. Representation shall be from cities having sizable population and facing challenges related to industrialization, sewage treatment, solid waste management and such other environmental related issues. Representation shall also be provided to the Panchayath Raj Institutions dealing with Environment related issues in the rural areas of the State. While providing representation to the Panchayath Raj Institutions care shall be taken to see that all the District/Region get represented in rotation periodically.
 - iii. Three Non-Official members shall be nominated to represent the interest of Agriculture Fishery or Industry or Trade or any other interest which, in the opinion of the State Government ought to be represented.
 - iv. Two persons to represent the companies or corporations owned, controlled or managed by the State Government dealing with supply of water, waste water treatment, solid waste management and air emissions. While nominating such persons care shall also be taken to represent the Services/ Regulations in both urban and rural areas
10. Any vacancy caused by resignation, removal or otherwise of the Chairman shall be filled by fresh nomination in accordance with these Rules. However, till such period, the Additional Chief Secretary of the Forest, Ecology and Environment Department or the Principal Secretary to Government (Ecology and Environment), Forest, Ecology and Environment Department shall be the Chairman of the Board for the remaining period or until a new Chairman is duly nominated by the State Government enters upon the office.
11. Any vacancy caused by the resignation or removal of any non-official Member if the remaining term is more than six months, the Members including Member Secretary so appointed shall be for the remaining term. The State Government, however, may opt for not filling the vacancy if it deems fit without assigning any reason.
12. The non-official Members of the Board shall be paid a sitting fee at the rate approved by the Government from time to time.

13. The salary and other emoluments of the Chairman shall be as per the orders of the Government of Karnataka issued from time to time.

(B.N.PRAVEEN)
Under Secretary to Government
Forest, Ecology and Environment Department
(Ecology & Environment).